

**Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS
AND PROFESSIONAL REGISTRATION
Division 2120—State Board of Embalmers and Funeral Directors
Chapter 2—General Rules**

EMERGENCY AMENDMENT

20 CSR 2120—2.100 Fees. The board is proposing to add section (7).

PURPOSE: The State Board of Embalmers and Funeral Directors is statutorily obligated to enforce and administer the provisions of Chapter 333, RSMo. Pursuant to section 333.111, RSMo, the board shall by rule and regulation set the amount of the fees authorized by Chapter 333, RSMo, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 333, RSMo.

EMERGENCY STATEMENT: The State Board of Embalmers and Funeral Directors is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of Chapter 333, RSMo. Pursuant to section 333.111, RSMo, the board shall by regulation set the amount of fees authorized by Chapter 333, RSMo, to produce revenue which shall not substantially exceed the cost and expense of administering the provisions of Chapter 333. Therefore, the board is proposing to decrease the biennial renewal fee for embalmers and funeral directors from two hundred dollars (\$200) to sixty dollars (\$60) for the 2016 renewal period.

Without this emergency amendment the decreased fee requirement will not be effective in time for the renewal notice and the board will collect more revenue than it is statutorily authorized to collect.

*The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. In developing this emergency amendment, the board has determined that the fee decreases are necessary to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 333.231.3, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The board believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed February 2, 2016, becomes effective February 12, 2016, and expires August 9, 2016.*

(7) The following renewal fees shall be effective from
March 1, 2016 to June 30, 2016

(A) Embalmer Biennial Renewal Fee: \$ 60

(B) Funeral Director Biennial Renewal Fee: \$ 60

*AUTHORITY: section 333.111.1, RSMo, 2000 and section 333.340, RSMo Supp., [2010] 2013. This rule originally filed as 4 CSR 120-2.100. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 11, 1981. Original rule filed June 30, 1981, effective Oct. 12, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed February 2, 2016, effective February 12, 2016, expires August 9, 2016.*